

FIFTY-THIRD DAY

(Monday, April 15, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Ashley	Moffett
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent—Excused

Hudson Moore

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 11, 1957 was dispensed with and the Journal was approved.

Leaves of Absence

Senator Hudson was granted leave of absence for today on account of important business on motion of Senator Owen.

Senator Moore was granted leave of absence for today on account of important business on motion of Senator Wood.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 88, A bill to be entitled "An Act providing for treatment of narcotic drug addicts in state hospitals under the jurisdiction of the Board for Texas State Hospitals and

Special Schools; prescribing the conditions and procedures for commitment, admission, and release; and declaring an emergency."

H. B. No. 186, A bill to be entitled: "An Act amending subdivisions (a) and (b) of Article II of Chapter 467, Acts of the Second Called Session of the 44th Legislature, as amended by Senate Bill 117, Acts of the 48th Legislature, Regular Session, 1943, Chapter 325, codified in Vernon's as Article 667-6, Vernon's Penal Code, so as to require a person desiring to be licensed to manufacture, distribute, or sell beer to publish in newspapers notice of his application; making other provisions relating thereto; providing a repealing clause; providing a severability clause, and declaring an emergency."

H. B. No. 270, A bill to be entitled "An Act amending Article 7094 of the Revised Civil Statutes of Texas, 1925, as last amended by Chapter 404, Article IV, Section 6, Acts of the 1954 Legislature, Regular Session, 1955, relating to corporations exempt from payment of the franchise tax; and declaring an emergency."

H. B. No. 279, A bill to be entitled "An Act empowering cities and towns having power to undertake urban renewal projects to issue revenue bonds to finance such projects and declaring an emergency."

H. B. No. 332, A bill to be entitled "An Act amending Section 2A of Acts 1930, 41st Legislature, Fifth Called Session, Chapter 18; as amended by Acts 1931, 42nd Legislature, Regular Session, Chapter 27; as amended by Acts 1933, 43rd Legislature, First Called Session, Chapter 56; as amended by Acts 1935, 44th Legislature, Regular Session, Chapter 342, as amended by Acts 1947, 50th Legislature, Regular Session Chapter 370; as amended by Acts 1949, 51st Legislature, Regular Session, Chapter 70; as amended by Acts 1953, 53rd Legislature, Regular Session, Chapter 111, to provide for the issuance by the Department of temporary registration permits for any truck, truck-tractor, trailer, or semi-trailer which is being temporarily operated by non-resident owners thereof in Texas for the purpose of transporting farm products produced outside of Texas to market, storage, processing plant, railhead or seaport within Texas;

limiting the distance from the point of entry allowed by such special permit and providing a penalty for violating the same; providing a fee therefor; providing a saving clause; and declaring an emergency."

H. B. No. 333, A bill to be entitled "An Act amending Section 3 of Acts, Fifth Called Session, Forty-first Legislature, Chapter 18, as amended by Acts, 1931, Forty-second Legislature, Chapter 27, as amended by Acts, 1933, First Called Session, Forty-third Legislature, Chapter 56, Section 1, as amended by Acts, 1935, Forty-fourth Legislature, Chapter 342, Section 1, as amended by Acts, 1947, Regular Session, Fiftieth Legislature, Chapter 370, to provide for the temporary registration of vehicles for one-trip movements within the State; providing a penalty for movements in violation thereof; providing a saving clause; and declaring an emergency."

H. B. No. 440, A bill to be entitled "An Act amending Section 1 of Chapter 130, Acts of the 53rd Legislature, Regular Session (Article 6228a-1, Vernon's Texas Civil Statutes), relating to membership and prior service credit in the Employees Retirement System of Texas for State employees who executed a waiver in the System; extending the time for payment of back contributions and dues; and declaring an emergency."

H. B. No. 482, A bill to be entitled "An Act amending subparagraph (c) of paragraph (1) of Section 1, Article 3.50, subchapter E, of Senate Bill No. 236, Chapter 491, Acts of the Fifty-second Legislature, Regular Session, 1951, to permit the issuance of group life insurance covering not less than ten employees under a master policy issued to an employer or to the trustees of a fund established by an employer; and declaring an emergency."

H. B. No. 521, A bill to be entitled "An Act amending Article 888 of the Penal Code of Texas, relating to permits for the killing of wild birds and animals to prevent depredation, by adding provisions relative to the disposition of carcasses of deer killed under authority of such permits; providing a penalty; providing for severability; and declaring an emergency."

H. B. No. 533, A bill to be entitled "An Act amending an act of the 48th

Legislature, 1943, Page 619, Chapter 358, creating municipal pension systems in all cities in this State having a population of three hundred eighty-four thousand or more according to any preceeding or future federal census, as the same may have been amended from time to time, and declaring an emergency."

H. B. No. 553, A bill to be entitled "An Act authorizing the Board of Regents of the State Teachers Colleges to execute and deliver to the State Highway Commission a right-of-way easement for the construction and maintenance of a U. S. Highway 75 bypass loop extending along and across certain State property owned by the State of Texas for the use and benefit of Sam Houston State Teachers College; and declaring an emergency."

H. B. No. 614, A bill to be entitled "An Act concerning the taking of oysters from the waters of Chambers County, Texas, providing for a penalty; and declaring an emergency."

H. B. No. 618, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in DeWitt County by authorizing the county to issue certificates of indebtedness for the purpose of acquiring rights of way for designated federal highways, state highways and farm-to-market highways; stating the terms and conditions of the issuance of such certificates of indebtedness; requiring the levy of a tax to pay the principal and interest of such certificates; requiring such certificates of indebtedness to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the effect thereof; enacting other provisions relating to the subject; making the Act cumulative; providing for severability; and declaring an emergency."

H. B. No. 649, A bill to be entitled "An Act amending Article 1188 and Article 1191 of the Revised Civil Statutes of Texas, 1925, to permit consolidation of adjoining and contiguous cities and towns; defining the term "Consolidation"; providing for and qualification of Electors; and declaring an emergency."

H. B. No. 660, A bill to be entitled "An Act authorizing Municipalities

to expend money for planning their future growth and development; and, authorizing certain municipalities to contribute money for joint planning with other municipalities, upon equal representation from each of such municipalities; stating the effect of this Act on other laws; providing the effective date of this Act; providing a savings clause."

H. B. No. 718, A bill to be entitled "An Act providing for an open season when it shall be lawful to hunt, take or kill squirrel in San Jacinto County, Texas; fixing a penalty for the violation thereof; repealing all laws in conflict; and declaring an emergency."

H. B. No. 736, A bill to be entitled "An Act concerning Purchasing Agents of counties that have a population of 100,000 or more amending Section 1, of Chapter 9, Acts of the 46th Legislature, 1939, Regular Session, Special Laws, as amended, providing that the Purchasing Agent is entitled to a salary between five thousand (\$5,000) and ten thousand (\$10,000) dollars, and providing, that the Purchasing Agent Assistant is entitled to a salary between twenty-five hundred (\$2,500) dollars and five thousand (\$5,000); and declaring an emergency."

H. B. No. 738, A bill to be entitled "An Act providing for a referee for Juvenile Courts in counties having a population of 806,700 or more; authorizing the appointment of a Juvenile Court referee; providing for the qualifications of such referee; providing for the duties and authority of such referee; providing for compensation for such referee; and making other provisions in regard thereto; and declaring an emergency."

H. B. No. 739, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article 16, of the Texas Constitution, to be known as 'Harris County Eastox Oaks Water and Sewer District'; defining the boundaries of the District; conferring upon the District the rights, powers, privileges and duties of the General Laws of Texas governing water control and improvement districts where not in conflict with this Act; providing for the governing body of the District; providing for the issuance of negotiable interest bearing bonds and refunding bonds secured by ad

valorem taxes and net revenues or by both ad valorem taxes and net revenues; providing for bonds to be approved by the Attorney General of Texas and registered by the Comptroller of Public Accounts of Texas and providing for incontestability and negotiability of such bonds and refunding bonds; adopting the ad valorem plan of taxation for said District; making bonds of the District eligible for investments, and exempting the property of the District and the bonds of the District from taxation; providing certain matters pertaining to eminent domain; authorizing contracts for purchase of water or water supply; finding of benefits to land and property in the District; enacting other provisions related to the subject; providing a severability clause; and declaring an emergency."

H. B. No. 759, A bill to be entitled "An Act authorizing any independent school district heretofore created having 30,220 or more scholastics to fix the term of office of school trustees providing for the date of election, and declaring an emergency."

H. B. No. 761, A bill to be entitled "An Act amending Section 2, Chapter 291, Acts of the Forty-seventh Legislature, Regular Session, 1951; providing for the printing and binding of Abstract Volumes by the Commissioner of the General Land Office; and declaring an emergency."

H. B. No. 762, A bill to be entitled "An Act to authorize commissioners' courts to purchase, construct, reconstruct, remodel, improve and equip, or otherwise acquire, an office building or buildings or courts building or buildings, or jail building or buildings (in addition to the existing Courthouse and/or Jail), or an additional building or buildings in which any one or more of the county or district offices or county or district courts, or certain justice of the peace courts, or where the jail, or any other facilities or functions of the county may be housed, conducted, and maintained; including the purchase and improvement of the necessary site or sites therefor, which shall be located in the county seat; providing that such building or buildings may be used to carry on other public business; authorizing commissioners' courts to lease or rent any part or parts of any such building which may

not be presently needed for the purpose authorized by this act to other persons; authorizing the issuance of negotiable bonds to accomplish the purposes authorized by this act and the levy and collection of taxes therefor; making certain incidental provisions with reference to such bonds and with reference to the issuance thereof; providing that the acquisition and uses of any such building or buildings shall not change any requirement of law requiring the posting of notices at the courthouse door; providing that the provisions of this act are in addition to all the powers given by and are cumulative of all other provisions of the laws of the State of Texas on the same subject; providing a savings clause to the effect that if any provision of this act shall be held invalid, the other provisions are not affected; and declaring an emergency."

H. B. No. 768, A bill to be entitled "An Act concerning squirrel hunting in Lamar County."

H. B. No. 769, A bill to be entitled "An Act closing wild turkey hunting season in Lamar County until November 16, 1959; and declaring an emergency."

H. B. No. 770, A bill to be entitled "An Act closing the hunting season on beaver in Lamar County until December, 1960."

H. B. No. 820, A bill to be entitled "An Act authorizing the appointment of an assistant district attorney for the district attorneys of the 42nd Judicial District, composed of the Counties of Taylor, Callahan and Shackelford, and the 104th Judicial District, composed of the Counties of Fisher, Jones and Taylor; prescribing his qualifications, duties, and salary; providing for expenses of the assistant district attorney; repealing all laws in conflict; and declaring an emergency."

H. B. No. 835, A bill to be entitled "An Act regulating fishing in the waters of that portion of Galveston Bay lying within Chambers, Galveston, and Harris Counties, Texas, north of a line extending from San Leon to Smith Point, Texas; providing that it shall be unlawful for any person to place, set, drag, use, or have in his possession, in or on any of said waters any seine, net, trawl,

trap, or other device for the purpose of catching fish or shrimp, other than the ordinary pole and line, casting rod and reel, artificial bait, trot line, set line, or gig and light for taking flounders, except as otherwise provided in this Act; providing that it shall not be unlawful to use in said waters, for the purpose of catching bait, a cast net, minnow seine, or bait shrimp trawl; providing it shall not be unlawful to have in possession a seine, net, trawl, trap, or other device prohibited from being used in said waters for the purpose of catching fish or shrimp, when the same is on board a vessel when such vessel is at port or in a channel in said waters en route to or from the Gulf of Mexico or other waters where it is lawful to use the same; providing for the seizure and destruction of any seine, net, trawl, trap, or other device found in said waters in violation of this Act; fixing a penalty for the violation of any provision of this Act; providing a saving clause; repealing all other laws and parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 836, A bill to be entitled "An Act to amend Section 6 of Chapter 302, Acts of the 42nd Legislature, 1931, as amended by Chapter 156, Acts of the 44th Legislature, 1935, relating to the Probation Department and the County Juvenile Board and their duties and authorities in counties having a population in excess of 350,000 inhabitants according to the last preceding or any future Federal Census, to provide that a county probation officer who is appointed as supervising head of county institutions shall receive a stipulated salary in addition to his salary as county probation officer; providing a severability clause; and declaring an emergency."

The House has granted the request of the Senate for the appointment of a conference committee on S. J. R. No. 3.

H. C. R. No. 87, Directing the Senate Enrolling Clerk to correct Senate Bill No. 32 by substituting the word "appropriation" for the word "re-appropriation" where it occurs in the House Amendment to this bill.

H. B. No. 893, A bill to be entitled "An Act regulating the manner of

taking fish from the waters of Lavaca Bay, Banal Lake, Mesquite Creek, Placedo Creek, Garcitas Creek, Red Fish Lakes and Oyster Bayou in Victoria, Jackson and Calhoun Counties; prohibiting the use of certain devices and providing a penalty for violation; repealing conflicting laws; and declaring an emergency."

H. B. No. 895, A bill to be entitled "An Act requiring a fishing license of persons who fish; providing for exceptions; providing for a fee for a fishing license; providing a fee to compensate persons who issue fishing license; providing for exceptions; providing for the issuance of duplicate fishing licenses; prescribing the form for fishing licenses; designating who may issue fishing licenses; providing for disposition of license stubs and unused licenses; providing for the disposition of fines and license fees collected under this Act; prohibiting use of one's license by another; providing for an effective date of this Act; providing for a penalty for violation of this Act; repealing all laws in conflict with this Act; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Senate Resolution 365

Senator Moffett offered the following resolution:

Whereas, We are honored today to have in the gallery the Sophomore Class in Texas Government of Midwestern University, Wichita Falls, Falls, Texas, accompanied by their teacher, Mr. A. F. ("Prof") Edwards; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Moffett by unanimous consent presented the students and Professor Edwards to the Members of the Senate.

Senate Resolution 366

Senator Willis offered the following resolution:

Whereas, We are honored today to have in the gallery a group of good-looking history students from Kennedale Elementary School, Tarrant County, Texas, accompanied by their fine teachers, Jack Vereen and Frank Grimland, and sponsors, Mr. and Mrs. Leroy Cooper and Mrs. H. C. Evans; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Willis by unanimous consent presented the students and teachers to the Members of the Senate.

Senate Resolution 367

Senator Roberts offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Honorable R. C. Vaughan, Judge of the 15th District Court, Sherman, Texas; and Honorable Hal Rawlins, City Attorney, Denison, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate, and be given the privileges of the floor for the day.

The resolution was read and was adopted.

Senator Roberts by unanimous con-

sent presented the distinguished guests to the Members of the Senate.

Senate Resolution 368

Senator Fuller offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Miss Patricia Fuller and Miss Betty Bivins of Longview, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate and the courtesies of the floor for the day.

The resolution was read and was adopted.

Senator Fuller by unanimous consent presented Miss Fuller, his niece, and Miss Bivins to the Members of the Senate.

Bills and Resolution Signed

The President signed in the presence of the Senate after the captions had been read the following enrolled bills and resolutions:

S. B. No. 290, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways of Dallas County by authorizing the county to issue certificates of indebtedness for the purpose of acquiring right of way for designated State highways or Federal highways when the acquisition of such right of way is approved by the State Highway Commission, and payment of expenses in connection with such acquisition; requiring the levy of a tax to pay such certificates and the interest thereon; requiring such certificates to be approved by the attorney general and registered by the comptroller of public accounts and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency."

S. B. No. 73, A bill to be entitled "An Act to amend Section 5 of Chapter 282, Acts, Regular Session, 41st Legislature (1929), as amended by Section 2 of Chapter 174, Acts, Regular Session, 42nd Legislature (1931), as amended by Section 2 of Chapter

148, Acts, Regular Session, 45th Legislature (1937); and declaring an emergency."

S. B. No. 95, A bill to be entitled "An Act to authorize and provide for professional unit allocations for Foundation School Program Act and Fund purposes, determinable on a sparse area formula approved by the State Board of Education applicable to any school district containing one hundred (100) square miles or more and having fewer than one (1) pupil per square mile and which operates and maintains a four-year accredited high school; requiring certain considerations by the State Commissioner of Education; providing the beginning effective date of this Act; and declaring an emergency."

S. B. No. 249, A bill to be entitled "An Act validating orders entered by county judges declaring the inhabitants of certain cities, towns or villages incorporated, setting forth the boundaries thereof and the officials of such cities, towns or villages validating the corporate existence of such cities, towns or villages and elections heretofore held for the election of officials and the acceptance of Title 28, Revised Civil Statutes as amended by such cities, towns and villages; providing that the officials named in such order constituted the officials of such city; validating bond elections held by such cities, towns and villages after entry of such order by the county judge; enacting other provisions relating to the subject; providing the Act shall not apply to any municipality the validity of which is involved in litigation; and declaring an emergency."

S. B. No. 411, A bill to be entitled "An Act amending Chapter 511, Acts 1955, 54th Legislature, Regular Session, by increasing the land area within jurisdiction of said Act; and declaring an emergency."

S. B. No. 417, A bill to be entitled "An Act creating Galveston County Road District No. 1 of Galveston County, Texas, under authority of Section 52, Article III, Constitution of Texas, etc., and declaring an emergency."

S. B. No. 419, A bill to be entitled "An Act to provide that certain eligible counties shall have the authority to acquire land for and to purchase, construct, repair, equip and

improve buildings and other permanent improvements to be used as a county branch office building; providing the cost of such facilities may be paid for by the issuance of bonds or certificates of indebtedness; prescribing the terms, conditions, and effect of such obligations and the methods for such issuance; declaring legislative intent; etc.; and declaring an emergency."

S. C. R. No. 64, Suspending Joint Rules to consider S. B. No. 443.

House Bills and Resolutions on First Reading

The following bills and resolutions received from the House, were read the first time and referred to the Committees indicated:

H. J. R. No. 36, To the Committee on Constitutional Amendments.

H. C. R. No. 44, To the Committee on Jurisprudence.

H. J. R. No. 34, To the Committee on Constitutional Amendments.

H. C. R. No. 26, To the Committee on State Affairs.

H. B. No. 667, To the Committee on Counties, Cities and Towns.

H. B. No. 696, To the Committee on Privileges and Elections.

(Senator Martin in the Chair.)

Senate Bill 446 on First Reading

Senator Ashley moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bracewell	Martin
Bradshaw	Moffett
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Herring	Roberts
Kazen	Rogers
Krueger	Secrest

Smith
Weinert

Willis
Wood

Absent

Hazlewood

Absent—Excused

Hudson

Moore

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Ashley:

S. B. No. 446, A bill to be entitled "An Act amending Section 144 of the Texas Probate Code by adding thereto a new subdivision, designated as subdivision (d), to provide that the judge of a district court or other court may order the clerk of the court to pay any fund of \$1000.00 or less on deposit in the registry of the court, belonging to any lunatic, idiot, epileptic, person of feeble mind, person of unsound mind or person committed for mental illness, without a legal guardian, who is an inmate of any state eleemosynary institution, to the institution for the use and benefit of the inmate; and declaring an emergency."

To the Committee on Jurisprudence.

(President in the Chair.)

Senate Bill 447 on First Reading

Senator Bracewell moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Ashley	Moffett
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent

Hazlewood

Absent—Excused

Hudson Moore

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Bracewell:

S. B. No. 447, A bill to be entitled "An Act limiting the filing fee of candidates in counties of 800,000 or more, to a sum of not to exceed 5% of one year's salary, and declaring an emergency."

To the Committee on Privileges and Elections.

Senate Bill 448 on First Reading

Senator Bracewell moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Ashley	Moffett
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent—Excused

Hudson Moore

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Bracewell:

S. B. No. 448, A bill to be entitled "An Act relating to the salaries of certain precinct and county officials, amending Acts of the 54th Legislature, Regular Session, 1955, Chapter 427, Section 9, and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 449 on First Reading

Senator Herring moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Ashley	Moffett
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent—Excused

Hudson Moore

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Herring:

S. B. No. 449, A bill to be entitled "An Act creating a water control and improvement district under Article XVI, Section 59 of the Constitution of Texas, to be known as "WIL-BARGER CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF BASTROP AND TRAVIS COUNTIES" comprising certain lands lying within the Counties of Bastrop and Travis, Texas; prescribing its powers and duties including the powers necessary to fully cooperate with the Federal Government, its agencies and departments, under Public Law 566, 83d Congress, Chapter 656, 2d Session, H. R. 6788, as amended by Public Law 1018, 84th Congress, Chapter 1027, 2d Session, H. R. 8750, including the power or authority to secure a federal loan or loans and enacting the applicable provisions of said public laws into this Act by reference; providing for a governing body thereof; finding and determining that the lands and other property within said District are, and will be, benefited by the District

and its improvements, works and measures to be constructed and accomplished; providing that the ad valorem basis or plan of taxation shall be used by the District and that it shall not be necessary to hold a hearing on the adoption of a plan of taxation or for exclusions of land or other property; declaring that the District is essential to the accomplishment of the purposes of Section 59, Article XVI, Constitution of Texas and declaring the District to be a governmental agency, body politic and corporate; authorizing the District to issue negotiable bonds for the payment of interest and principal thereof; providing that no loan from the Federal Government shall be consummated and no bonds shall be issued unless authorized by an election for such purposes; providing any such bonds to be incontestable after approval by the Attorney General and registration by the Comptroller of Public Accounts; providing that it shall not be necessary for plans and specifications, engineering reports, profiles, maps and other data to be filed in the office of the District before an election is held for the purpose of authorizing the issuance of bonds and that it shall not be necessary to secure approval of the State Board of Water Engineers prior to the issuance of bonds by the District; providing a savings clause, and declaring an emergency."

To the Committee on Water and Conservation.

**Communication from
Senator Harry F. Byrd**

Senator Hardeman submitted the following communication from Senator Harry F. Byrd received in reply to Senate Resolution No. 305:

**UNITED STATES SENATE
Committee on Finance**

April 9, 1957.

Honorable Dorsey B. Hardeman
San Angelo, Texas

My dear Senator:

I do not think I have ever had a finer compliment paid me than the resolution passed by the State Senate of Texas.

I am more grateful than I can express.

I do hope we can make some progress in reducing this unconscionable budget with which we are now dealing.

Hoping sometime to see you to thank you in person, and with kind regards, I am

Faithfully yours,
/s/ Harry F. Byrd
/t/ Harry F. Byrd

The communication was read.

On motion of Senator Hardeman and by unanimous consent the communication was ordered printed in the Journal.

Report of Standing Committee

Senator Bracewell by unanimous consent submitted the following report:

Austin, Texas,
April 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 423, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

BRACEWELL, Chairman.

**Motion to Place Committee Substitute
Senate Bill 123 on Second Reading**

Senator Bradshaw asked unanimous consent to suspend the regular order of business and take up C. S. S. B. No. 123 for consideration at this time.

There was objection.

Senator Bradshaw then moved to suspend the regular order of business and take up C. S. S. B. No. 123 for consideration at this time.

The motion was lost by the following vote (Not receiving two-thirds vote of the Members present):

Yeas—18

Aikin	Lock
Ashley	Martin
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Hardeman	Reagan
Kazen	Weinert
Krueger	Wood

Nays—11

Fuller	Hazlewood
Gonzalez	Herring

Lane
Moffett
Roberts
Rogers

Secrest
Smith
Willis

Absent—Excused

Hudson Moore

Senate Bill 154 with
House Amendments

Senator Martin called S. B. No. 154 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Martin moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has appointed the following Conference Committee on S. J. R. No. 3:

Wilson of Potter, Stewart, Harrington, Springer and Oliver.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Senate Bill 407 on Second Reading

Senator Krueger asked unanimous consent to suspend the regular order of business and take up S. B. No. 407 for consideration at this time.

There was objection.

Senator Krueger then moved to suspend the regular order of business and take up S. B. No. 407 for consideration at this time.

The motion prevailed by the following vote:

Yeas—22

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Parkhouse
Colson	Ratliff
Fly	Reagan
Hardeman	Secrest
Hazlewood	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—7

Fuller	Phillips
Gonzalez	Roberts
Herring	Rogers
Owen	

Absent—Excused

Hudson Moore

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 407, A bill to be entitled "An Act to amend the subject matter embraced in Section 4 of the Act, as amended, (Senate Bill No. 5, Chapter 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, 1936, as amended), prescribing benefit eligibility conditions by providing for a waiting period week in addition to the eligibility conditions presently prescribed; providing an effective date of this Act; providing for the repeal of all laws and parts of laws in conflict herewith; providing for the separability of provisions; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Motion To Place

Senate Bill 407 on Third Reading

Senator Krueger moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 407 be placed on its third reading and final passage.

The motion was lost by the following vote: (not receiving four-fifths vote of the Members present)

Yeas—19

Aikin	Bracewell
Ashley	Bradshaw

Colson	Parkhouse
Fly	Ratliff
Hardeman	Reagan
Hazlewood	Secrest
Krueger	Smith
Lock	Weinert
Martin	Wood
Moffett	

Nays—9

Fuller	Phillips
Gonzalez	Roberts
Herring	Rogers
Kazen	Willis
Owen	

Absent

Lane

Absent—Excused

Hudson Moore

Senate Resolution 369

Senator Parkhouse offered the following resolution:

Whereas, We are honored today to have in the gallery the Texas History class of Richardson High School of Richardson, Texas, accompanied by their teacher, Miss Julia Darnall; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn first-hand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly indorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Parkhouse by unanimous consent presented the students and Miss Darnell to the Members of the Senate.

Senate Resolution 370

Senator Parkhouse offered the following resolution:

Whereas, We are honored today to have in the gallery the Civics Class from Mesquite High School at Mes-

quite, accompanied by their teachers, Miss Florence V. Black and Mrs. Ridley Dyer; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly indorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Parkhouse by unanimous consent presented the students and teachers to the Members of the Senate.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 434 by viva voce vote.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Senate Resolution 371

Senator Weinert offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate 60 students of the Fifth Grade, Campus Elementary School of San Marcos, Hays County, Texas, accompanied by their teachers, Mrs. Arthur Spear and Mrs. Jack Williams; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings

of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Weinert by unanimous consent presented the students and teachers to the Members of the Senate.

Senate Resolution 372

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the 3rd Grade Class of Highland Park Grade School in Austin, Texas, accompanied by their teachers, Mrs. Newberry and Miss Ettelmon; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed the class in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and teachers to the Members of the Senate.

Senate Concurrent Resolution 66 on First Reading

Senator Weinert moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin

Ashley

Bracewell	Moffett
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood
Martin	

Absent—Excused

Hudson	Moore
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The following resolution was then introduced, read first time and referred to the Committee indicated:

S. C. R. No. 66, Granting Sammie E. Glass and William B. Glass permission to sue the State of Texas.

Whereas, It is alleged by Sammie E. Glass and William B. Glass, residents of Gonzales County, Texas, as follows: That at on or about March 23, 1955, at about 6:45 a.m., said Sammie E. Glass was driving an automobile owned by him and William B. Glass in an easterly direction on Highway 90A, about 4 miles east of Gonzales, Texas, with William B. Glass, as a passenger; that as they approached the intersection of such highway with the old Gonzales-Dilworth Public Road, a pickup truck belonging to the State Highway Department of the State of Texas, operated by Milton James Turk, Jr., of Gonzales, Texas, an employee of such Highway Department, approached such intersection from the south, driving in a northerly direction, and he then and there failed to keep a proper lookout, and failed to obey the traffic signal, a "Stop" sign, at this point, drove through such stop sign which faced him as he entered to such intersection, and failed to stop, failed to yield the right of way, and drove upon such highway and into the path of the oncoming Glass vehicle; that the driver of such pickup truck was then and there acting within the scope and course of his duties and employment as an employee of the State Highway Department; that such driver of such pickup truck was negligent in these and other respects, and he drove his automobile in front of the Glass automobile and caused the Glass automom-

bile to collide with such pickup truck at such time and place; that such acts of negligence were the proximate cause of personal injuries to the said Sammie E. Glass and William B. Glass and the damages to their automobile; and

Whereas, The said Sammie E. Glass and William B. Glass are desirous of determining the liability, if any, of the State of Texas and the State Highway Department for the alleged injuries to their person and damage to their automobile and for expenses for doctors, medicines and other resulting damages by reason of the alleged negligence of said employee of the State Highway Department, and for that purpose, they desire to file a suit in the proper Court having jurisdiction over said claim to have such liability, if any, and the amount of the resulting damages therefrom, if any, judicially determined; and

Whereas, Said Sammie E. Glass is a minor who has not had his disabilities of minority removed, and he has no lawful guardian of his estate, and such suit will be brought by him by and through his father, Bryan S. Glass, as next friend; therefore,

Be it Resolved by the Senate of the State of Texas, the House concurring, That the said Sammie E. Glass, by his next friend, and William B. Glass, be and they are authorized to file a suit against the State of Texas and the State Highway Department of the State of Texas, in the proper Court having jurisdiction thereof, at any time within six months from the date of this resolution becomes effective, to determine the liability, if any, and the damages, if any, which they may be entitled to recover; and in the event said suit be filed, service of citation and other necessary process shall be upon the Chairman of the State Highway Commission and the Attorney General of the State of Texas, and said suit shall be tried as provided by law for all other civil cases, reserving to either party the right of appeal; and be it further

Resolved, That nothing herein shall be construed as an admission of liability on the part of the State of Texas or on the part of the State Highway Department, it being understood that the sole purpose of this Resolution is to grant permission to the said Sammie E. Glass and Wil-

liam B. Glass to bring suit against the State of Texas and the State Highway Department for the alleged damages and injuries to themselves and their automobile and the resulting expenses therefrom; and no admission of liability on the part of the State or the State Highway Department of any facts and no admission whatsoever against the interest of the State or the State Highway Department is or shall be made by this Resolution; and all of the same shall be proved in Court as in other civil cases, and each of the parties to said suit shall have the right of appeal as in all other civil cases.

The resolution was read and was referred to the Committee on Jurisprudence.

Senate Bill 437 on Second Reading

On motion of Senator Hardeman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 437, A bill to be entitled "An Act providing that it shall be unlawful for any officer or employee of this State or any other person to build, construct, erect or maintain any building, structure, memorial, monument, statue or concession or any other structure including parking areas or additional paving on any of the grounds surrounding the State Capitol that were bounded by certain streets on January 1, 1955, with certain exceptions; providing a penalty; providing grounds for impeachment or for removal from office of certain officers and employees; providing a savings clause; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time.

Senator Hardeman offered the following amendment to the bill:

Amend Senate Bill 437, Section 1, by striking out the word "Fourteenth" and inserting in lieu thereof the word "Thirteenth."

The amendment was adopted.

On motion of Senator Hardeman and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 437 on Third Reading

Senator Hardeman moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that Senate Bill No. 437 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Ashley	Moffett
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent—Excused

Hudson	Moore
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Martin
Ashley	Moffett
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent—Excused

Hudson	Moore
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Report of Standing Committee

Senator Ashley by unanimous consent submitted the following report:

Austin, Texas,
April 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred S. B. No. 447, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ASHLEY, Vice-Chairman.

Committee Substitute Senate Bill 294 on Second Reading

On motion of Senator Martin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 294, A bill to be entitled "An Act repealing the Securities Act of Texas and the Insurance Securities Act of Texas as embraced in Articles 579 and 580 of Vernon's Civil Statutes of Texas, with savings clause as to pending proceedings or actions; and substituting for both such acts a single act comprehensively providing for the regulation of the sale of securities and of dealers, agents and salesmen who sell securities, this new act to be known as "The Securities Act"; creating the State Securities Board and providing for appointment of Securities Commissioner; providing for a Deputy Securities Commissioner and delegation of authorities of commissioner to him; providing for the administration and enforcement of the act by the Securities Commissioner and the Attorney General and local law enforcement officials; defining words and phrases; listing exempt transactions and exempt securities; providing for etc., and declaring an emergency."

The bill was read the second time.

Senator Parkhouse offered the following amendment to the bill:

Amend Senate Bill No. 294, Section 6, by adding an additional paragraph after Paragraph "J" and commencing at the end of line 60, to be and read as follows:

"K. Any security collateralized pursuant to, or as permitted by the provisions of Chapter 165, Acts of the 42nd Legislature, 1931, as amended (Article 1524a, Vernon's Annotated Civil Statutes of Texas)."

The amendment was adopted.

Senator Parkhouse offered the following amendment to the bill:

Amend Senate Bill No. 294, Section 7, Paragraph A (1), line 9, so as to change the letter "J" found in said line to "K," that line 9 of said Section and paragraph should hereafter read as follows:

"Section 5 of this Act and subdivisions A to K both inclusive."

The amendment was adopted.

On motion of Senator Martin and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Committee Substitute Senate Bill 294 on Third Reading

Senator Martin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 294 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Fly	Owen
Colson	Parkhouse
Fuller	Phillips
Bradshaw	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Secrest
Herring	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Rogers

Absent—Excused

Hudson

Moore

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Concurrent Resolution 87 on Second Reading

The President laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 87, Directing Enrolling Clerk to make certain corrections in S. B. No. 32.

The resolution was read and was adopted.

Bills and Resolution Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolution:

H. B. No. 815, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Frio County by authorizing the County to issue certificates of indebtedness for certain stated purposes; stating terms and conditions of issuance; requiring the levy of a tax to pay such certificates; enacting other provisions relating to the subject; containing a severability clause; and declaring an emergency."

H. B. No. 740, A bill to be entitled "An Act amending Article 2351, Revised Civil Statutes of Texas, 1925, authorizing the Commissioners' Court in counties of 800,000 or more population to create a petty cash fund for operation of County Welfare Department; and to make payments direct to such Director of County Welfare Department for disbursement to needy paupers, subject to such system as may be designed by county auditors of such counties, and subject further to audits by such county auditors; making such law cumulative with all such laws now in effect; providing a saving clause; and declaring an emergency."

H. B. No. 292, A bill to be entitled "An Act authorizing and directing the Board of Regents of the State Teachers Colleges to execute and deliver to the State Highway Commission rights of way easements to four tracts of land in Hays County for the construction and maintenance of U. S. Highway 81 extending along and across certain State property owned by the State of Texas for the use and benefit of Southwest Texas State Teachers College; and declaring an emergency."

H. B. No. 31, A bill to be entitled "An Act amending Subsection (2) of Section 23 of the Uniform Narcotic Drug Act, Chapter 169, Acts of the 45th Legislature, Regular Session, as amended, providing penalties for certain offenses involving minors under 19 years of age; and declaring an emergency."

H. B. No. 3, A bill to be entitled "An Act establishing standards of conduct for officers and employees of state agencies, legislators and legislative employees in the area of possible conflict between their private interests and official duties and declaring an emergency."

H. B. No. 53, A bill to be entitled "An Act amending Section 6a of Chapter 88, Acts of the 41st Legislature, Second Called Session, 1929, as amended (codified as Article 6675a-6a of Vernon's Texas Civil Statutes), relating to registration of commercial motor vehicles used for certain farm purposes to provide that additional use of such vehicles for passenger transportation, without charge, shall not prevent their registration as farm vehicles; describing the nature of information which may be required in an affidavit or written statement furnished in connection with application for such registration; repealing conflicting laws; and declaring an emergency."

H. B. No. 518, A bill to be entitled "An Act to amend Chapter 315, Acts of the 54th Legislature, 1955, by permitting such districts to enter into contract with the Federal Government or agency or instrumentality thereof for the construction of improvements for which such districts were organized; providing for the approval of the projects, plans and specifications and providing the method of paying obligations assumed; providing the law shall be cumulative; and declaring an emergency."

H. B. No. 853, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Ector County by authorizing the County to issue certificates of indebtedness for certain stated purposes; stating terms and conditions of issuance; requiring the levy of a tax to pay such certificates; enacting other provisions relating to the subject; containing a severability clause; and declaring an emergency."

H. C. R. No. 85, Suspending Joint Rules permitting the House to set a local and uncontested bill calendar on Wednesday, April 10, 1957.

Message from the Governor

The following message received from the Governor was read and was filed with the Secretary of the Senate:

Austin, Texas,
April 12, 1957.

To the Members of the Fifty-fifth Legislature:

I am returning Senate Bill 214 without my approval. I have vetoed this bill because it completely repeals the graduation features of the manufacturer's license fees levied by Article 667-3.

The present law provides for a license fee of \$500 for one manufacturer of beer and authorizes the holder of the license to distribute and sell beer to others and to dispense the product for consumption on manufacturer's premises. A fee of \$10,000 is provided for a second establishment owned or controlled by the same management, and a fee of \$25,000 for a third, fourth and fifth establishment, and a fee of \$50,000 for each additional establishment in excess of five.

I do not question the fact that the fees for subsequent establishments are inequitable, and would not object if the graduated fees were reduced more in line with the chain store taxes. However, I think it is a serious mistake and a precedent which will be used in other cases to try to abolish other graduated taxes levied on multiply-owned establishments. The enactment of this law would most certainly be used when multiply-owned grocery stores and other establishments ask that their occupation taxes and license fees be reduced to the same level as the first establishment.

Respectfully submitted,
PRICE DANIEL,
Governor of Texas.

Message from the Governor

The following message received from the Governor was read and was filed with the Secretary of the Senate:

Austin, Texas,
April 12, 1957.

To the Members of the Fifty-fifth Legislature:

Supplementing my message of this date returning Senate Bill 214 without approval, in order that further consideration might be given to equitable adjustment of manufacturers' license fees provided in Article 667-3 of the Penal Code without abandoning the policy of graduated fees for additional establishments, I submit this subject as an emergency matter in accordance with Section 5 of Article 3 of the Constitution.

Respectfully submitted,
PRICE DANIEL,
Governor of Texas.

Message from the Governor

The following message received from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas,
April 15, 1957.

To the Senate of the Fifty-fifth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Branch Pilots for the Galveston Bar and Houston Ship Channel, for two-year term to expire March 13, 1959: H. C. Cage of Houston, Harris County; Henry Corry of Houston, Harris County; Roy C. Blodgett of Houston, Harris County.

Respectfully submitted,
PRICE DANIEL,
Governor of Texas.

Senate Bill 450 on First Reading

Senator Phillips by unanimous consent moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hazlewood
Ashley	Herring
Bracewell	Kazen
Bradshaw	Krueger
Colson	Lane
Fly	Lock
Fuller	Martin
Gonzalez	Moffett
Hardeman	Owen

Parkhouse	Secrest
Phillips	Smith
Ratliff	Weinert
Reagan	Willis
Roberts	Wood
Rogers	

Absent—Excused

Hudson	Moore
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The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Phillips:

S. B. No. 450, A bill to be entitled "An Act authorizing the creation of Public Hospital Districts by the Commissioners Courts; providing for a petition by the qualified taxpaying voters defining said districts and requesting the issuance of bonds and the levying of a tax for the payment thereof; providing for a deposit to be made for holding elections in connection therewith; providing for a hearing before the Commissioners Court prior to said election or elections; etc., and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 451 on First Reading

On motion of Senator Owen and by unanimous consent of the Senate, the following bill was introduced in conformity with the Governor's Emergency Message received today, read first time and referred to the committee indicated:

By Senator Owen:

S. B. No. 451, A bill to be entitled "An Act amending Chapter 467, House Bill No. 77, Acts of the Second Called Session, 44th Legislature, as such has been heretofore amended, being the Texas Liquor Control Act, and being the Act carried in Vernon's Penal Code as Articles 666 and 667, so as to clarify such Act by reducing in paragraph (a) of Section 3 of Article II of the Texas Liquor Control Act the burden imposed by graduated license fees when any one company operates more than one licensed manufacturing location; providing a saving clause; repealing laws in conflict herewith; and declaring an emergency."

To the Committee on Jurisprudence.

Senate Bill 452 on First Reading

Senator Aikin by unanimous consent moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Ashley	Moffett
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent—Excused

Hudson Moore

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Aikin:

S. B. No. 452, A bill to be entitled "An Act providing for the allocation of One (1%) Per Cent of the total Permanent School Fund to the Available School Fund in compliance with Article VII, Section 5, of the Texas Constitution; and declaring an emergency."

To the Committee on State Affairs.

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 836, To the Committee on Counties, Cities and Towns.

H. B. No. 43, To the Committee on Agriculture and Livestock.

H. B. No. 614, To the Committee on Game and Fish.

H. B. No. 770, To the Committee on Game and Fish.

H. B. No. 769, To the Committee on Game and Fish.

H. B. No. 768, To the Committee on Game and Fish.

H. B. No. 835, To the Committee on Game and Fish.

H. B. No. 895, To the Committee on Game and Fish.

H. B. No. 718, To the Committee on Game and Fish.

H. B. No. 893, To the Committee on Game and Fish.

H. B. No. 739, to the Committee on Water and Conservation.

H. B. No. 186, To the Committee on Jurisprudence.

H. B. No. 88, To the Committee on State Affairs.

H. B. No. 270, To the Committee on Jurisprudence.

H. B. No. 649, To the Committee on Jurisprudence.

H. B. No. 521, To the Committee on Game and Fish.

H. B. No. 533, To the Committee on State Affairs.

H. B. No. 618, To the Committee on Counties, Cities and Towns.

H. B. No. 553, To the Committee on State Affairs.

H. B. No. 440, To the Committee on State Affairs.

H. B. No. 333, To the Committee on Transportation.

H. B. No. 332, To the Committee on Transportation.

H. B. No. 279, To the Committee on State Affairs.

H. B. No. 820, To the Committee on Legislative, Congressional and Judicial Districts.

H. B. No. 761, To the Committee on State Affairs.

H. B. No. 762, To the Committee on Counties, Cities and Towns.

H. B. No. 759, To the Committee on Education.

H. B. No. 660, To the Committee on State Affairs.

Senate Resolution 373

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Blake Lancaster of San Antonio; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented Mr. Lancaster to the Members of the Senate.

Report of Standing Committee

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
April 15, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 442, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PARKHOUSE**Special Notice**

Senator Willis gave notice that he would on tomorrow move to suspend the necessary rules to take up for consideration S. B. No. 24.

Adjournment

On motion of Senator Hardeman the Senate at 12:24 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of
Mrs. F. O. Babcock

Senator Roberts offered the following resolution:

(Senate Resolution 362)

Whereas, Our Heavenly Father, in His infinite wisdom, called from this earthly life Mrs. F. O. Babcock; and

Whereas, Mrs. Babcock was the former Rosie Parks; was born at Florence, Kansas; was married in Oswego, Kansas on April 6, 1909; and

Whereas, Mrs. Babcock moved with her husband to Denison, Texas, in 1921, when her husband and his brother founded the first in a chain of thirty-six Babcock Brothers stores; and

Whereas, Mrs. Babcock worked side by side with her husband in the early days of the business; later moving to bookkeeping when the firm grew; and finally retiring; and

Whereas, The influence of her useful and fruitful life will forever be felt by those who were privileged to know her; and

Whereas, She is survived by her husband, F. O. Babcock of Denison; two daughters, Mrs. Frank Banner and Mrs. Don Prather, both of Denison; a brother, Clarence Parks, of Parsons, Kansas; four grandchildren; two great-grandchildren; now, therefore, be it

Resolved, That it is the desire of the Senate of Texas to pay tribute to this fine citizen and her family; and be it further

Resolved, That enrolled copies of this Resolution be forwarded to the surviving members of her family, as a token of respect and sympathy; and, now, therefore, be it finally

Resolved, That a page of the Senate Journal be set aside as a memorial to Mrs. Babcock and that when the Senate adjourns today it do so in her honor and memory.

ROBERTS

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bracewell, Bradshaw, Colson, Fly, Fuller, Gonzalez, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Lock, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Wood and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of Thomas E. Craig

Senator Roberts offered the following resolution:

(Senate Resolution 863)

Whereas, In the passing of Thomas E. Craig, of McKinney, Texas, from this earthly life in March, 1957, the State of Texas, and in particular the people of Collin County and the City of McKinney, have suffered an irreparable loss; and

Whereas, Mr. Craig's passing at the age of eighty-two ended a full and outstanding life of deepest devotion to his family, his community, his church, and his many friends; and

Whereas, Thomas E. Craig was born at Sulphur Springs, Texas, on March 2, 1875, the son of James Leroy and Ella Virginia Owens Craig; received his B.S. Degree in Electrical & Mechanical Engineering from Austin College in Sherman, Texas, in 1898, and further education at the University of Virginia, from which he graduated in 1900; did advance work at the Massachusetts Institute of Technology from 1901 to 1905; and

Whereas, He was married to Miss Kathryn Florence Heard, of McKinney, on November 2, 1910, returning to McKinney to reside in 1911; and

Whereas, After working for General Electric Company in the East, Mr. Craig returned to Texas in 1905 to work on the construction engineering staff of the Texas Electrical Railway from Denton to Waco; later he organized the People's Light & Power Company plant in Corpus Christi; managed McKinney Compress Company from 1911 to 1918; was a director of McKinney Ice & Coal Company from 1918 to 1926; was a partner in the firm of Ray & Craig Company, McKinney, from 1929 until his death; and

Whereas, He was a past president of the Texas Textile Mills, Dallas; the McKinney Rotary Club; the McKinney Chamber of Commerce; the McKinney Retail Merchants Association; was a former director of the East Texas Chamber of Commerce; and was at the time of his death a director of the Collin County National Bank in McKinney; the Gulf & Atlantic Fire Insurance Company; the Fidelity Union Life Insurance Company; the Tex-O-Kan Mills; and

Whereas, He was an Elder of the First Presbyterian Church, of McKinney, and active in the general assembly of the Synod of Texas; and

Whereas, He had been active in Boy Scout work since 1915, organized and served as Scoutmaster of the first Boy Scout Troop in McKinney; was a director and Vice President of Circle Ten Council, Boy Scouts of America; was holder of the Silver Beaver Award, the highest honor of the National Scouting Council, conferred on scouters giving outstanding service; also held a twenty-five year service star award; and

Whereas, He assisted many students at Austin College, Sherman; was a member of the Board of Trustees of the College; was given a citation at Austin College in 1948; and

Whereas, The Senate of Texas takes note of the fact that Thomas E. Craig was a man of great courtesy and kindness, a truly religious man to whom his religion was a personal, practical, every-day matter; and

Whereas, The Senate further recognizes that Thomas E. Craig was widely respected and enjoyed a special place in the heart of all who knew him; was a great and good man, loyal and true to his family and friends; and had a happy faculty of doing a maximum of good with a minimum of publicity; now, therefore, be it

Resolved, That it is the desire of the Senate of Texas to acknowledge the achievements and benefactions of this distinguished Texan; and to extend to his beloved wife, Kathryn Florence Heard Craig, of McKinney, its most sincere sympathy; and, now, therefore, be it finally

Resolved, That a copy of this resolution be sent to the surviving members of his family as a token of respect and sympathy; and that when the Senate adjourns today it do so in his honor and memory.

ROBERTS

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bracewell, Bradshaw, Colson, Fly, Fuller, Gonzalez, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Lock, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Rogers, Secrest, Smith, Weinert Willis, Wood.

The resolution was read.

On motion of Senator Wood and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of

Carlton John Patton

Senator Willis offered the following resolution:

(Senate Resolution 364)

Whereas, On 16 March 1955, in the untimely passing of Carlton John Patton, the Nation lost one of its most able teachers; and

Whereas, Mr. Patton was born in New York in 1874, taught school in New York City for forty-five years, and came to Fort Worth to retire nine years ago; and

Whereas, Mr. Patton was also interested in participating in athletics and always ready and willing to teach others to play, and, as a result, many young men today owe their skill in athletics to his expert instruction; and

Whereas, Mr. Patton, in the classroom as well as on the athletic field, not only taught his subjects to his pupils, but he taught them to love their work and their country and by personal example enriched and endowed them in the true traditions of the American way of life; now, therefore, be it

Resolved, by the Senate of the Fifty-fifth Legislature of Texas, That the respect and admiration of this body be expressed hereby; and, be it further

Resolved, That the sympathy of all Members of the Senate be extended to his family; and that copies of this Resolution be mailed to his wife, Mrs. Carlton John Patton of Fort Worth, to his four children, Sydney and Richard A. Patton of Fort Worth and Mrs. Frances Kerr and Robert A. Patton of Jackson Heights, New York.

The resolution was read and was adopted by a rising vote of the Senate.